

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	
- v. -	:	<u>DEFAULT JUDGMENT</u>
	:	
\$1,000,000 in United States Currency,	:	18 CV. 5761 (AKH)
	:	
Defendant-in-rem.	:	
	:	
- - - - -	x	

WHEREAS, On June 26, 2018, the United States commenced an *in rem* forfeiture action seeking the forfeiture of \$1,000,000 in United States currency (the "Defendant-in-rem") by the filing of a Verified Complaint (the "Verified Complaint")(D.E. 1);

WHEREAS, notice of the Verified Complaint against the Defendant-in-rem was posted on the official government internet site, www.forfeiture.gov, for at least 30 consecutive days, beginning on June 30, 2018, through July 29, 2018, and proof of such publication was filed with the Clerk of this Court on September 19, 2018 (D.E. 3);

WHEREAS, as set forth in Rule G(4)(a)(ii) and Rule G(5)(a)(ii), the notice of forfeiture specified the Defendant-in-rem and the intent of the United States to forfeit and dispose of the Defendant-in-rem, thereby notifying all third parties of their right to file a claim to adjudicate the validity of their alleged legal interest in the Defendant-in-rem, within sixty days from the

first day of publication of the Notice on the official government internet site;

WHEREAS, on or about May 4, 2018, the entity controlled by the Santee Sioux Tribe of Nebraska (the "Santee Sioux") that was involved in the loan business described in the Verified Complaint entered into a Non-Prosecution Agreement with the Government in which, *inter alia*, Santee Sioux consented to the forfeiture of the Defendant-in-rem;

WHEREAS, Santee Sioux is the only entity known by the United States to have a potential interest in the Defendant-in-rem; and

WHEREAS, no claims or answers have been filed or made in this action and no other parties have appeared to contest the action, and the requisite time periods in which to do so, as set forth in Title 18, United States Code, Section 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Geoffrey S. Berman, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Hagan Scotten, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Defendant-in-rem.

2. The Defendant-in-rem shall be, and the same hereby is, forfeited to the plaintiff United States of America.

3. The United States Department of Treasury (or its designee) shall dispose of the Defendant-in-rem, according to law.

Dated: New York, New York
September ____, 2018

SO ORDERED:

HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE